

VIA FACSIMILE SEPTEMBER 21, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Patent Application of: Jonak et al.

Docket No.: PF459C2

Application No.: 10/757,450

Confirmation No.: 4086

Filed: January 15, 2004

Art Unit: 1646

For: Novel Integrin Ligand ITGL-TSP

Examiner: Jiang, Dong

**REQUEST FOR CORRECTED PUBLICATION UNDER 37 C.F.R. § 1.221(b)**  
**DUE TO MATERIAL OFFICE MISTAKE**RECEIVED  
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Commissioner for Patents  
Alexandria, VA 22313-1450

SEP 21 2004

Sir:

Applicants respectfully request a corrected publication of the above-listed application pursuant to 37 C.F.R. § 1.221(b) due to a material mistake made by the Office. In particular, claim 16 of the publication is incomplete. In particular, the publication omits the closing language of subparagraph (a) of claim 16 (--respond to ITGL-TSP-- should read "respond to ITGL-TSP polypeptide; and").

The above mistake is apparent from the Office records, as the application as filed contains the correct claim 16 in its entirety. The mistake is also apparent from the publication, as claim 16(a) is cut off in mid-phrase. The above mistake is apparent from the Office records, as the return receipt postcard indicates that the application was filed in its entirety, including all claims, on January 15, 2004 (copy attached).

Moreover, the above mistake could be material, as the scope of claim 16 cannot be determined from the publication. Thus, this error affects the scope of provisional rights accorded Applicants under 35 U.S.C. § 154(d) based on the instant publication.

**Best Available Copy**

Additionally, the mistake in the claim could undermine the strength of the publication as a prior art reference, since a U.S. Patent Application Publication must claim the same invention in order to prevent others from submitting an Affidavit or Declaration of Prior Invention under 37 C.F.R. § 1.131.

Accordingly, Applicants respectfully request that a corrected publication of the above-listed application be made pursuant to 37 C.F.R. § 1.221(b).

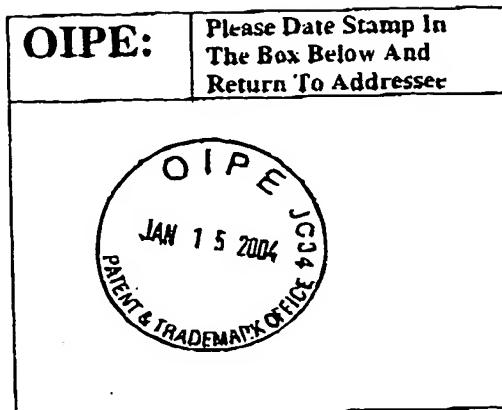
No fee is believed due for this submission. In the event that a fee is required in connection with this submission, please charge the required fee to Deposit Account No. 08-3425.

Dated: September 21, 2004

Respectfully submitted,

  
By \_\_\_\_\_  
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**RETURN RECEIPT CARD**  
(MPEP § 503)

Application of:  
Jonak et al.

Docket No.: PF459C2

Application Serial No.: Not Yet Assigned

Art Unit: N/A

Filed: Concurrently Herewith

Examiner: Not Yet Assigned

Title: Novel Integrin Ligand STGL-TSP

The following documents were filed by Human Genome Sciences, Inc.  
via hand delivery on January 15, 2004:

1. Return Receipt Postcard;
2. Serial Number Postcard;
3. Fee Transmittal (1 page), with appropriate fee;
4. Utility Patent Application Transmittal (1 page);
5. Request Under 37 C.F.R. 1.821(e);
6. Preliminary Amendment;
7. Application Data Sheet (4 pages);
8. Specification (37 pages) including 18 claims (3 pages), Abstract (1 page), and Sequence Listing on paper (7 pages);
9. Copy of Oath or Declaration (4 pages) from parent application; and
10. Copies of Statement Under 37 C.F.R. 3.73, Revocation of Prior Powers of Attorney or Authorizations of Agent, and Power of Attorney of Agent (Assignees: HGS and SmithKline Beecham (from parent application).

KKH/JMM/KM/lcc

**CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8**

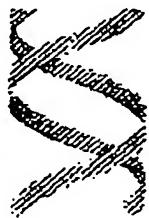
1. Fax Cover Sheet (1 page);
2. Request for Corrected Publication Under 37 C.F.R. § 1.221(b) due to Material Office Mistake with copy of PTO date-stamped return receipt postcard (3 pages); and
3. Certificate of Transmission (1 page).

I hereby certify that the above-listed correspondence is being facsimile transmitted to the United States Patent and Trademark Office on September 21, 2004.



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LEGAL DEPARTMENT****9410 Key West Avenue  
Rockville, MD 20850****Phone: 301-309-8504****Fax: 301-309-8439****FAX COVER SHEET****DATE:** September 21, 2004**TOTAL NUMBER OF PAGES:** 5**TO:** **Office of Pre-Grant Publications**  
United States Patent & Trademark Office**FAX NO.:** (703) 305-8568**PHONE NO.:** (703) 605-4285**FROM:** **Melissa J. Pytel (Reg. No. 41,512)****RE:** Application of: Jonak et al.  
Application No. 10/757,450  
Publication No.: 2004-0175794A1  
Title: Novel Integrin Ligand-fTGL-TSP**Atty. Docket No. PF459C2**  
**Filed:** January 15, 2004  
**Published:** September 9, 2004**COMMENTS:**

Please see the attached Request for Corrected Publication Under 37 C.F.R. § 1.221(b) due to Material Office Mistake.

If you experience any difficulty receiving this transmission,  
please contact Melissa J. Pytel at (301) 610-5764.